

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

JOHNATHAN GOODWIN, )  
Plaintiff, )  
 )  
v. )                   **3:09-CV-0552-M**  
 )  
UNNAMED POLICE OFFICER, et al., )  
Defendants. )

**REPORT AND RECOMMENDATION  
OF THE UNITED STATES MAGISTRATE JUDGE**

Pursuant to the provisions of 28 U.S.C. § 636(b), and an order of reference filed on August 14, 2009, Plaintiff's motions to reopen and for leave to proceed *in forma pauperis* have been referred to the United States Magistrate Judge for recommendation or determination.

On June 10, 2009, the district court accepted the undersigned findings, conclusions and recommendation and entered judgment dismissing this case without prejudice for want of prosecution because Plaintiff had failed to file a complaint in compliance with Fed. R. Civ. P. 8(a), and submit a motion to proceed *in forma pauperis*.

Goodwin's letter does not comply with Rule 8(a). This case was dismissed without prejudice pursuant to Rule 41(b) in part because of his failure to file a proper complaint. Because he makes no attempt to comply with the filing requirement, his request to reopen this closed case should be denied.

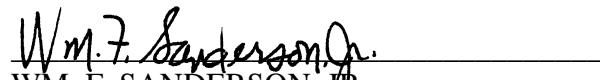
**RECOMMENDATION:**

For the foregoing reason it is recommended that Goodwin's motion to reopen be denied

and that his motion to proceed *in forma pauperis* be dismissed, the same being moot.

The Clerk will transmit a copy of this recommendation to Plaintiff.

SIGNED this 27<sup>th</sup> day of August, 2009.

  
WM. F. SANDERSON, JR.  
UNITED STATES MAGISTRATE JUDGE

NOTICE

A copy of this report and recommendation shall be served on all parties in the manner provided by law. Any party who objects to any part of this report and recommendation must file specific written objections within 10 days after being served with a copy. See 28 U.S.C. § 636(b)(1); FED. R. CIV. P. 72(b). In order to be specific, an objection must identify the specific finding or recommendation to which objection is made, state the basis for the objection, and specify the place in the magistrate judge's report and recommendation where the disputed determination is found. An objection that merely incorporates by reference or refers to the briefing before the magistrate judge is not specific. Failure to file specific written objections will bar the aggrieved party from appealing the factual findings and legal conclusions of the magistrate judge that are accepted or adopted by the district court, except upon grounds of plain error.